

Serial No. 10/659,219
Atty. Doc. No. 2001P17947WOUS

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REMARKS

Applicants have amended claims 1, 13 and 14 and cancelled claim 15. Thus, claims 1, 2, 4 - 14 and 16 - 18 are presented for examination. Applicants respectfully request reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response to rejections under Section 112 First Paragraph:

Claims 1 - 2 and - 4 - 18 stand rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement for containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

Claims 1, 13 and 14:

Applicants have amended claims 1, 13 and 14 to eliminate the limitations of "a high energy beam" and "melting". Claim 13 has been further amended to eliminate reference to "a substrate". Based on Applicants amendments, Claims 1, 13 and 14 comply with the written description requirement of 35 U.S.C. § 112, first paragraph.

Claim 15:

Applicants have cancelled claim 15.

Claim 16:

Applicants have amended claim 16 to eliminate the limitation of "the high energy beam" and replaced it with "irradiation" which is contained in the specification (e.g. p.4 line 31 - p.5 line 4). Claim 16 further recites scanning the near-surface region of the coating layer over a period of time by the irradiation. The surface treatment equipment of figure 1c, 19, shows a narrow beam like projection of the irradiation onto the surface, 15. In order to irradiate the surface, 15, the beam must scan over the area of the surface, 15.

Response to Notice of Allowable Subject Matter:

The Examiner has indicated that Claims 1, 2, 4 - 12 and 15 - 18 would be allowable if rewritten or amended to overcome the §112, first paragraph rejections. Applicants have amended the claims as described above to overcome the §112, first paragraph rejections and

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respectfully submit the Examiner has properly determined that the limitations of irradiating a near-surface region of the coating layer to ensure homogenization of the coating layer without homogenizing a region of the substrate located laterally adjacent the homogenized region patentably distinguish the claims over the cited art. Therefore, Applicants respectfully request allowance of Claims 1, 2, 4 - 14 and 16 - 18.

The Examiner has indicated that Claim 15 would be allowable if rewritten or amended to overcome the §112, second paragraph rejections. Applicants have cancelled claim 15 and respectfully request allowance of the present application.

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Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the instant Office Action are inapplicable to the present claims. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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